

## REMARKS

This paper is in response to the Notice of Panel Decision from Pre-Appeal Brief Review dated March 9, 2009 (the Panel Decision). The Panel Decision rejects Claims 1-5, 9 and 11-22 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Publication No. 20040203873 to Gray (Gray) in view of U.S. Patent Application Publication No. 2004/0203890 to Karaoguz (Karaoguz) and in further view of U.S. Patent Application Publication No. 2004/0204071 to Bahl (Bahl). Claims 6, 7 and 10 stand rejected under 35 U.S.C. § 103(a) and as being unpatentable over Gray in view of Karaoguz and Bahl and in further view of U.S. Patent Application Publication No. 2005/0136949 to Barnes (Barnes).

Applicants request reconsideration of the rejections under § 103 in view of the amendments above and at least for the reasons that follow.

### **I. Independent Claims 1, 17 and 20 are patentable**

Claim 1 recites a method for directing a mobile user to a wireless network access point including:

- receiving a mobile user request for a location of a wireless network access point via a user terminal, wherein the user request comprises one or more amenities including one or more of a hotel, a restaurant, a store, a park and an airport;

- identifying a geographic location of the mobile user responsive to receiving the user request;

- identifying a plurality of wireless network access points convenient to the user that provides access to the one or more amenities based on stored data including the physical location or address of a wireless network and the amenities available at or near the wireless network;

- ranking a plurality of wireless network access points based on a distance from a user location and the one or more amenities requested by the user such that wireless network access points that include the one or more amenities are ranked highest and network access points without the one or more amenities are ranked last;

- wherein the user request includes a particular service provider associated with the wireless network and identifying a wireless network access point further comprises identifying a wireless network access point provided by the particular service provider.

Independent Claims 17 and 20 include recitations similar to Claim 1. Applicants submit that the recitations of independent Claims 1, 17 and 20 are not disclosed by Gray, Karaoguz, Bahl and Barnes for at least the reasons discussed in Applicants' paper submitted October 2, 2008.

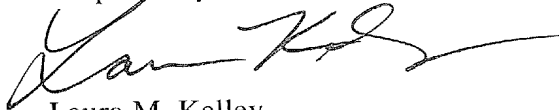
However, in order to expedite prosecution, Claims 1, 17 and 20 are amended above to generally recite ranking a plurality of wireless network access points based on a distance from a user location and the one or more amenities requested by the user such that wireless network access points that include the one or more amenities are ranked highest and network access points without the one or more amenities are ranked last. Support for the above amendments can be found, for example, in paragraph [0040] of the current application. Applicants submit that this recitation is not disclosed or rendered obvious by Gray, Karaoguz, Bahl and Barnes, taken individually or in combination.

For at least the reasons discussed above, Claims 1, 17 and 20 and Claims 2-7, 9, 11-16 and 21-22 depending therefrom are patentable over Grey, Karaoguz, Bahl and Barnes. Accordingly, Applicants request that the rejections under § 103 be withdrawn.

### CONCLUSION

In view of the above, it is respectfully submitted that this application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,



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### **CERTIFICATION OF TRANSMISSION**

I hereby certify that this correspondence is being transmitted via the Office electronic filing system in accordance with § 1.6(a)(4) to the U.S. Patent and Trademark Office on April 7, 2009



Carey Gregory